

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GOSMILE, INC., a Delaware  
corporation,

Plaintiff,

- against -

DR. JONATHAN B. LEVINE, D.M.D. P.C.,  
a New York Corporation; and DR. JONATHAN B.  
LEVINE, an individual ,

Defendants.  
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No. 10 CV 8663 (PKC)

~~PROPOSED~~ SCHEDULING  
ORDER

WHEREAS, counsel having appeared before the Court on December 16, 2010,  
it is hereby;

ORDERED that the Scheduling Order for the Preliminary Injunction shall be as  
follows: *Defendants shall respond to a complaint by Jan 4, 2011.*

1. Briefing Schedule.

a. Moving Papers. Plaintiff shall serve and file Its Motion In Support of a  
Preliminary Injunction on or before December 20, 2010.

b. Opposition Papers. Defendants shall serve and file their Opposition to  
Plaintiff's Motion for a Preliminary Injunction on or before January <sup>4</sup> 4, 2011.

c. Reply Papers. Plaintiff shall serve and file a Reply In Further Support of  
its Motion for a Preliminary Injunction on or before January 7, 2011.

2. Fact Discovery.

a. Plaintiff shall serve Interrogatories and Document Requests on or  
before December 20, 2010. Defendants shall provide written responses and produce  
documents in response to Plaintiff's Interrogatories and Document Requests on or before

December 28, 2010.

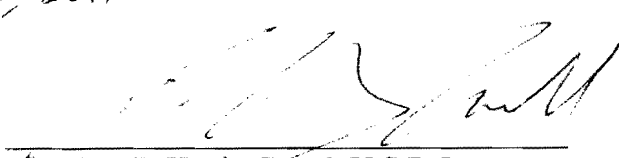
b. Defendants shall serve Interrogatories and Document Requests on or before December 23, 2010. Plaintiff shall provide written responses and produce documents in response to Defendants' Interrogatories and Document Requests on or before December 31, 2010.

c. Deposition discovery shall be concluded by January <sup>11</sup>7, 2011. Plaintiff is given leave to depose Dr. Jonathan B. Levine. ~~The Court will conduct a telephonic conference on December 29, 2010 to consider oral applications for other depositions.~~

3. Expert Discovery.

a. Expert reports shall be exchanged on January <sup>11</sup>4, 2011. Expert depositions shall be concluded by January <sup>11</sup>7, 2011.

4. Preliminary Injunction Hearing. The Preliminary Injunction Hearing shall commence on January <sup>20</sup>20, 2011. at 10 a.m. *Identify any hearing witnesses by affidavit by Jan 13, 2011*

  
Hon. P. Kevin Castel, U.S.D.J.

12-16-10